IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.734 OF 2005

IN

SUIT NO.4050 OF 1996

Rabiyabanu Kitabulla ...Plaintiff

Versus

Shahidali Abidali Shaikh & Ors. ...Defendants

And

Shahidali Abidali Shaikh & Ors. ...Respondents

.....

Mr.S.R.Bhalerao for Plaintiff.

Mr.H.S.S.Murthy for Defendants 2 to 4 and

for Respondents 2 to 4.

.....

CORAM: A.M.KHANWILKAR, J.

JULY 18, 2005.

P.C.

1. All the contesting Defendants are served. None appears, except for Defendants 2 to 4 and Respondents 2 to 4.

2. Mr.Bhalerao states that delay is of 315

days. However, as no affidavit is filed controverting the assertions made in support of the Application, in my opinion, sufficient cause has been made out. Application made absolute in terms of prayer clauses (a) and (b). Amendment be carried out within two weeks from today. No order as to costs.

A.M.KHANWILKAR, J.